

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

LANDSCAPE CONSULTANTS OF  
TEXAS, INC., and METROPOLITAN  
LANDSCAPE MANAGEMENT,  
INC.,

Plaintiffs,  
v.

CITY OF HOUSTON, TEXAS, and  
MIDTOWN MANAGEMENT  
DISTRICT,

Defendants.

Civil Action No. 4:23-cv-03516

**DEFENANT CITY OF HOUSTON'S  
MOTION FOR LEAVE TO EXCEED PAGE LIMITS**

Defendant City of Houston ("the City") moves for leave to exceed the page limits with regards to its concurrently filed brief in support of its Motion for Summary Judgment. Specifically, the City asks the Court for permission to file a summary judgment brief in excess of the page limit contained in the Procedures for this Court, which limit all briefs to 20 pages with 14-point font. The City seeks leave of Court to exceed the 20-page limit for its summary judgment brief and requests an additional 15 pages, which includes the summary of the argument required by the Court's Procedures.

In this case, Plaintiffs bring a constitutional challenge to the City's program

for promoting minority-owned business participation in City contracting. The City's program is subject to strict judicial scrutiny, making it necessary for the City to discuss statistical evidence contained in a lengthy study, as well as to cover thoroughly each of the factors pertinent to the narrow tailoring analysis. The City believes that the additional legal briefing will aid the Court's review of the constitutionality of the program.

**PRAYER FOR RELIEF**

The City respectfully asks the Court to grant its motion for leave to exceed the page limitation for the City's brief in support of its motion for summary judgment.

By: /s/ Ben Stephens  
Ben Stephens  
State Bar No. 24098472  
SDTX Bar No. 2898153  
[ben.stephens@huschblackwell.com](mailto:ben.stephens@huschblackwell.com)  
Sandy Hellums-Gomez  
State Bar No. 24036750  
SDTX Bar No. 561314  
[sandy.gomez@huschblackwell.com](mailto:sandy.gomez@huschblackwell.com)  
Jarrett Dillard  
State Bar No. 24099801  
SDTX Bar No. 2980302  
[jarett.dillard@huschblackwell.com](mailto:jarett.dillard@huschblackwell.com)

HUSCH BLACKWELL LLP  
600 Travis St., Suite 2350  
Houston, Texas 77002  
Telephone: (713) 647-6800  
Facsimile: (713) 647-6884

/s/ Darah Eckert  
Darah Eckert  
Senior Assistant City Attorney  
State Bar No. 24007141  
SDTX Bar No. 1890045  
[darah.eckert@houstontx.gov](mailto:darah.eckert@houstontx.gov)  
Lori J. Yount  
Senior Assistant City Attorney  
State Bar No. 2209496  
SDTX Bar No. 24084592  
[lori.yount@houstontx.gov](mailto:lori.yount@houstontx.gov)

ARTURO G. MICHEL  
CITY ATTORNEY  
SUZANNE R. CHAUVIN  
CHIEF, GENERAL LITIGATION SECTION  
CITY OF HOUSTON LEGAL DEPARTMENT  
P.O. Box 368

Houston, Texas 77001-368  
900 Bagby, 4<sup>th</sup> Floor  
Houston, Texas 77002  
Telephone: (832) 393-6219  
Facsimile: (832) 393-6259

**ATTORNEYS FOR THE CITY OF  
HOUSTON**

**CERTIFICATE OF CONFERENCE**

Due to the Saturday deadline for the motion for summary judgment, as well as the Thanksgiving holiday weekend, counsel for the City has not had an opportunity to confer meaningfully with counsel for Plaintiffs or Midtown Management District. The City will do so at the earliest opportunity and will thereafter supplement this certificate of conference.

/s/ Ben Stephens  
Ben Stephens

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing has been served upon the following on November 30, 2024, via the CM/ECF Filing system.

/s/ Ben Stephens  
Ben Stephens